

the meaning of article III of the Antarctic Treaty, done at Washington on December 1, 1959.

(3) The term “development” means any activity, including logistic support, which takes place following exploration, the purpose of which is the exploitation of specific mineral resource deposits, including processing, storage, and transport activities.

(4) The term “exploration” means any activity, including logistic support, the purpose of which is the identification or evaluation of specific mineral resource deposits. The term includes exploratory drilling, dredging, and other surface or subsurface excavations required to determine the nature and size of mineral resource deposits and the feasibility of their development.

(5) The term “mineral resources” means all nonliving natural nonrenewable resources, including fossil fuels, minerals, whether metallic or nonmetallic, but does not include ice, water, or snow.

(6) The term “person” means any individual, corporation, partnership, trust, association, or any other entity existing or organized under the laws of the United States, or any officer, employee, agent, department, or other instrumentality of the Federal Government or of any State or political subdivision thereof.

(7) The term “prospecting” means any activity, including logistic support, the purpose of which is the identification of mineral resource potential for possible exploration and development.

(8) The term “Under Secretary” means the Under Secretary of Commerce for Oceans and Atmosphere.

(Pub. L. 101-594, §3, Nov. 16, 1990, 104 Stat. 2976.)

#### **§ 2463. Prohibition of Antarctic mineral resource activities**

It is unlawful for any person to engage in, finance, or otherwise knowingly provide assistance to any Antarctic mineral resource activity.

(Pub. L. 101-594, §4, Nov. 16, 1990, 104 Stat. 2977; Pub. L. 104-227, title II, §202(a), Oct. 2, 1996, 110 Stat. 3044.)

#### **AMENDMENTS**

1996—Pub. L. 104-227 substituted “It” for “Pending a new agreement among the Antarctic Treaty Consultative Parties in force for the United States, to which the Senate has given advice and consent or which is authorized by further legislation by the Congress, which provides an indefinite ban on Antarctic mineral resource activities, it”.

#### **SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in section 2465 of this title.

#### **§ 2464. Repealed. Pub. L. 104-227, title II, § 202(b), Oct. 2, 1996, 110 Stat. 3044**

Section, Pub. L. 101-594, §5, Nov. 16, 1990, 104 Stat. 2977, declared the sense of Congress that Secretary of State should negotiate international agreements relating to protection of Antarctic environment and that any such international agreement be consistent with purpose and provisions of this chapter.

#### **§ 2465. Enforcement**

##### **(a) In general**

A violation of this chapter or any regulation promulgated under this chapter is deemed to be a violation of the Antarctic Marine Living Resources Convention Act (16 U.S.C. 2431-2444) and shall be enforced under that Act by the Under Secretary or another Federal official to whom the Under Secretary has delegated this responsibility.

##### **(b) Penalty**

If the Under Secretary determines that a person has violated section 2463 of this title—

(1) that person shall be ineligible to locate a mining claim under the mining laws of the United States; and

(2) the Secretary of the Interior shall refuse to issue a patent under the mining laws of the United States, or a lease under the laws of the United States related to mineral or geothermal leasing, to any such person who attempts to perfect such patent or lease application after the Under Secretary has made such determination.

(Pub. L. 101-594, §5, formerly §6, Nov. 16, 1990, 104 Stat. 2977; renumbered §5, Pub. L. 104-227, title II, §202(c), Oct. 2, 1996, 110 Stat. 3044.)

#### **REFERENCES IN TEXT**

The Antarctic Marine Living Resources Convention Act, referred to in subsec. (a), probably means the Antarctic Marine Living Resources Convention Act of 1984, title III of Pub. L. 98-623, Nov. 8, 1984, 98 Stat. 3398, which is classified generally to chapter 44A (§2431 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2431 of this title and Tables.

The mining laws of the United States, referred to in subsec. (b), are classified generally to Title 30, Mineral Lands and Mining.

Mineral leasing laws, referred to in subsec. (b)(2), have been defined in sections 351, 505, 530, and 541e of Title 30 to mean acts Oct. 20, 1914, ch. 330, 38 Stat. 741; Feb. 25, 1920, ch. 85, 41 Stat. 437; Apr. 17, 1926, ch. 158, 44 Stat. 301; and Feb. 7, 1927, ch. 66, 44 Stat. 1057. The act of Oct. 20, 1914, was repealed by Pub. L. 86-252, §1, Sept. 9, 1959, 73 Stat. 490. The act of Feb. 25, 1920, is known as the Mineral Leasing Act and is classified generally to chapter 3A (§181 et seq.) of Title 30. The act of Apr. 17, 1926, is classified generally to subchapter VIII (§271 et seq.) of chapter 3A of Title 30. The act of Feb. 7, 1927, is classified principally to subchapter IX (§281 et seq.) of chapter 3A of Title 30. For complete classification of these Acts to the Code, see Tables.

Geothermal leasing laws, referred to in subsec. (b)(2), are classified principally to chapter 23 (§1001 et seq.) of Title 30.

#### **PRIOR PROVISIONS**

A prior section 5 of Pub. L. 101-594 was classified to section 2464 of this title prior to repeal by Pub. L. 104-227.

#### **§ 2466. Repealed. Pub. L. 104-227, title II, § 202(b), Oct. 2, 1996, 110 Stat. 3044**

Section, Pub. L. 101-594, §7, Nov. 16, 1990, 104 Stat. 2978, authorized appropriations for fiscal years 1991 and 1992 to carry out this chapter.

### **CHAPTER 45—URBAN PARK AND RECREATION RECOVERY PROGRAM**

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## CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 43 section 1457a.

**§ 2501. Congressional findings**

The Congress finds that—

(a) the quality of life in urban areas is closely related to the availability of fully functional park and recreation systems including land, facilities, and service programs;

(b) residents of cities need close-to-home recreational opportunities that are adequate to specialized urban demands, with parks and facilities properly located, developed, and well maintained;

(c) the greatest recreational deficiencies with respect to land, facilities, and programs are found in many large cities, especially at the neighborhood level;

(d) inadequate financing of urban recreation programs due to fiscal difficulties in many large cities has led to the deterioration of facilities, nonavailability of recreation services, and an inability to adapt recreational programs to changing circumstances; and

(e) there is no existing Federal assistance program which fully addresses the needs for physical rehabilitation and revitalization of these park and recreation systems.

(Pub. L. 95-625, title X, §1002, Nov. 10, 1978, 92 Stat. 3538.)

## SHORT TITLE

Section 1001 of title X of Pub. L. 95-625 provided that: "This title [enacting this chapter] may be cited as the 'Urban Park and Recreation Recovery Act of 1978'."

**§ 2502. Congressional statement of purpose; complementary program authorization; terms and conditions**

The purpose of this chapter is to authorize the Secretary to establish an urban park and recreation recovery program which would provide Federal grants to economically hard-pressed communities specifically for the rehabilitation of critically needed recreation areas, facilities, and development of improved recreation programs. This program is intended to complement existing Federal programs such as the Land and Water Conservation Fund and Community Development Grant Programs by encouraging and stimulating local governments to revitalize their park and recreation systems and to make long-term commitments to continuing maintenance of these systems. Such assistance shall be subject to such terms and conditions as the Secretary considers appropriate and in the public interest to carry out the purposes of this chapter. It is further the purpose of this chapter to improve recreation facilities and expand recreation services in urban areas with a high incidence of crime and to help deter crime through the expansion of recreation opportunities for at-risk youth. It is the further purpose of this section<sup>1</sup> to increase the security of urban parks and to promote collaboration between local agencies involved in parks and recreation, law enforcement, youth social services, and juvenile justice system.

(Pub. L. 95-625, title X, §1003, Nov. 10, 1978, 92 Stat. 3539; Pub. L. 103-322, title III, §§31501, 31505(b), Sept. 13, 1994, 108 Stat. 1888, 1890.)

## AMENDMENTS

1994—Pub. L. 103-322 struck out "for a period of five years" after "development of improved recreation programs" and "short-term" before "program is intended to complement" and inserted at end "It is further the purpose of this chapter to improve recreation facilities and expand recreation services in urban areas with a high incidence of crime and to help deter crime through the expansion of recreation opportunities for at-risk youth. It is the further purpose of this section to increase the security of urban parks and to promote collaboration between local agencies involved in parks and recreation, law enforcement, youth social services, and juvenile justice system."

## "SECRETARY" DEFINED

Secretary means the Secretary of the Interior, see section 2 of Pub. L. 95-625, set out as a note under section 2503 of this title.

**§ 2503. Definitions**

When used in this chapter the term—

(a) "recreational areas and facilities" means indoor or outdoor parks, buildings, sites, or other facilities which are dedicated to recreation purposes and administered by public or private nonprofit agencies to serve the recreation needs of community residents. Emphasis shall be on public facilities readily accessible to residential neighborhoods, including multiple-use community centers which have recreation as one of their primary purposes, but excluding major sports arenas, exhibition areas,

<sup>1</sup> So in original. Probably should be "chapter".